



Commonwealth of Massachusetts  
Executive Office of Energy & Environmental Affairs

# Department of Environmental Protection

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## **FACT SHEET DRAFT HAZARDOUS WASTE FACILITY LICENSE SAFETY-KLEEN SYSTEMS, INC., WEST BROOKFIELD**

**November 2022**

This Fact Sheet summarizes the content of the Draft Hazardous Waste Facility License (Draft License) prepared by the Department of Environmental Protection (MassDEP) for Safety-Kleen Systems, Inc., West Brookfield (the Facility) pursuant to M.G.L. c. 21C and 310 CMR 30.000. This Fact Sheet was prepared in accordance with the provisions of 310 CMR 30.832, "Draft Facility License".

### **I. Purpose of the Licensing Process**

The purpose of the licensing process is to afford MassDEP, the U.S. Environmental Protection Agency (EPA), local government, and citizens the opportunity to evaluate the ability of a license applicant to comply with the applicable hazardous waste management regulations promulgated under M.G.L. c. 21C and 310 CMR 30.000. Before issuance of any hazardous waste facility license, pursuant to M.G.L. c. 21C and 310 CMR 30.000, the MassDEP is required to prepare a Draft License. The Draft License sets forth in one document all the applicable requirements that a licensee is required to comply with.

### **II. Procedures for Reaching a Final Decision**

This information is available in alternate format. Contact Glynis Bugg at 617-348-4040.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: [www.mass.gov/dep](http://www.mass.gov/dep)

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Massachusetts Hazardous Waste Regulation, 310 CMR 30.833, requires that MassDEP provide a public notice of the Draft License and allow at least a 45-day public comment period. The public comment period for this Draft License will begin with publication of the public notice in the Worcester Telegram & Gazette on **October 28, 2022** and will end on **December 12, 2022**. Any person interested in commenting on the Draft License must do so within this comment period. Comments should be emailed to [richard.blanchet@mass.gov](mailto:richard.blanchet@mass.gov).

MassDEP will schedule an informal public hearing on the proposed Draft License if, during the comment period, or within 15 days of the close of the comment period, MassDEP receives written notice requesting an informal public hearing, or if it determines on its own that there is significant public interest in the draft license. Written and oral comments will be accepted at the hearing. In making a final decision, MassDEP will consider all written comments received during the comment period, all verbal comments received at a public hearing, if held, and the requirements of the Massachusetts Hazardous Waste Regulations, 310 CMR 30.000. MassDEP will then make a final determination to issue or deny a hazardous waste facility license to the Facility. MassDEP will give notice of its final license decision to the Facility and each person who has submitted written comments or has requested notice of the final license decision. A final license decision becomes effective 21 days after the date of the notice of the decision. The final license decision will be postponed if a request for an adjudicatory hearing before MassDEP is made within the 21 day period.

### **III. Licensing History, Facility Description, Facility Operations**

#### **A. Licensing History**

The Facility was issued its first hazardous waste facility license by MassDEP in 1989 and is presently operating under hazardous waste facility license #29B/16.

#### **B. General Description**

The Facility is an existing Massachusetts licensed hazardous waste storage facility authorized to manage a broad range of hazardous wastes through its Truck-to-Truck Transfer program and authorized to store a limited number of specific hazardous wastes in designated hazardous waste storage areas in containers and one hazardous waste storage tank. The maximum hazardous waste storage capacity is 23,448 gallons. The Facility is not authorized to treat, reclaim or dispose of hazardous waste.

The Facility is one of three of Safety-Kleen System, Inc.'s service centers operating in Massachusetts whose primary business is the leasing of solvent-based cleaning products and self-contained waste recovery systems and the subsequent collection and recycling of that waste solvent. These materials include hydrocarbon-based solvent used in degreasing, aqueous based solvent used in parts cleaning and as a paint gun cleaner. Safety-Kleen System, Inc.'s business also includes the management of dry cleaner waste, photo fixer waste, and waste oil from a variety of sources. Safety-Kleen Systems, Inc. also manages small volumes of hazardous wastes generated by small or very small quantity generators.

All waste received at the Facility is transferred to other Safety-Kleen Service Centers in Massachusetts for consolidation or sent to out-of-state Service Centers, and ultimately to Safety-

Kleen's Recycle/Process Centers. Hazardous waste that cannot be recycled by Safety-Kleen is sent to an appropriately authorized independent hazardous waste treatment, storage and disposal facility.

Waste oil for re-refining into base lubricating stock or blending into fuel for industrial furnaces is sent to Safety-Kleen's Recycle/Process Centers located in East Chicago, Indiana or Buffalo, New York.

Safety-Kleen Systems, Inc., Plano, TX is also a Massachusetts licensed hazardous waste transporter that operates various types of transport vehicles out of the Facility and the two other Massachusetts Service Centers. These vehicles are parked in the paved facility parking area overnight.

A listing of the hazardous wastes that are authorized for receipt and storage is provided in Section D, below. These hazardous wastes, along with non-hazardous antifreeze and non-hazardous wastewater, are generally shipped to a Safety-Kleen Systems, Inc. recycling/processing facility located out-of-state where some of the wastes are reclaimed and then returned to Safety-Kleen customers as product. Hazardous waste that cannot be recycled is sent to an appropriately authorized independent hazardous waste treatment, storage or disposal facility.

### **C. Authorization to Receive and Store Hazardous Waste**

The following hazardous wastes are stored at the Facility:

#### **Hazardous Waste Container Storage**

- Spent Parts Washer Solvent: Petroleum-based and Aqueous-based Solvents
- Spent Immersion Cleaner
- Dry Cleaning Wastes
- Paint Gun Cleaner Waste
- Waste Oil
- Photographic Fixer Waste
- Specification and Off-Specification Used Oil Fuel
- Class A Regulated Recyclable Materials
- Universal Wastes listed in 310 CMR 30.1000

Authorization for the above listed hazardous waste streams is limited to the following hazardous waste codes:

<u>Waste Codes</u>	<u>Description</u>
MA01 *	Waste Oil
D001	Ignitable Waste
D004 - D011 **	Toxicity Characteristic Waste

D018 - D019 **	Toxicity Characteristic Waste
D021 - D030 **	Toxicity Characteristic Waste
D032 - D043 **	Toxicity Characteristic Waste
F001	Spent Solvents
F002, F004	Spent Solvents
F003, F005	Spent Solvents and Paint Wastes
U210	Tetrachloroethylene
MA97	Class A Regulated Recyclable Materials, and Specification Used Oil Fuel
MA98	Off-Specification Used Oil Fuel
MA95	Universal Waste

\* Authorized storage includes waste oil that exhibits a hazardous waste characteristic (D001, D004-D008) provided that waste oil has not been mixed with any other hazardous waste, and provided it passes the rebuttable presumption test pursuant to 310 CMR 30.215(1)(b).

\*\* These waste codes apply only to the presence of Toxicity Characteristic constituents in the waste streams listed above.

Any hazardous waste other than those hazardous wastes identified by the hazardous waste codes specifically listed above is prohibited from storage in containers.

#### Tank Storage

Spent Parts Washer Solvent: Petroleum-based and Aqueous-based Solvents\*

Authorization for tank storage is granted only for the following hazardous waste with the hazardous waste codes noted below:

<u>Waste Codes</u>	<u>Description</u>
D001	Ignitable Waste
D004 - D011 **	Toxicity Characteristic Waste
D018 - D019 **	Toxicity Characteristic Waste
D021 - D030 **	Toxicity Characteristic Waste
D032 - D043 **	Toxicity Characteristic Waste
MA01 ***	Spent Petroleum Based Solvent with a flash point >140° F.

\* These include specific Safety-Kleen, Inc.'s proprietary solvents that may be marketed under a variety of trade names.

\*\* These waste codes apply only to the presence of Toxicity Characteristic constituents in the waste streams listed above.

\*\*\* Spent Petroleum Based Solvent with a flashpoint equal to or greater than 140° F and certified by the generator to have not been

contaminated by hazardous waste constituents.

Storage Schedule for Hazardous Waste in Containers

Hazardous waste shall only be stored in containers in the North Hazardous Waste Container Storage Area and South Hazardous Waste Container Storage Area located in the Office/Warehouse building, and the North and South Ignitable Hazardous Waste Storage Shelters, as provided in the following hazardous waste storage schedule:

<u>Hazardous Waste Container Storage Area</u>	<u>Contents</u>	<u>Maximum Volume in Containers (gallons)</u>
North Hazardous Waste Container Storage Area	All wastes authorized for container storage except for ignitable waste with flashpoint < 100 F	2,304
South Hazardous Waste Container Storage Area	All wastes authorized for container storage except for ignitable waste with flashpoint < 100 F	3,456
Ignitable Hazardous Waste Storage Shelters (North)	Ignitable hazardous waste with flashpoint < 100 F authorized for container storage	1,344
-----		7,104 Total

Storage Schedule for Hazardous Waste in the Tank

Hazardous waste shall be stored in the hazardous waste storage tank, Tank No.2, as follows:

<u>Tank Storage Area</u>	<u>Contents</u>	<u>Maximum Volume (gallons)</u>
Covered Tank Farm	Spent solvents	15,000

**D. Authority to Store Class A Regulated Recyclable Materials**

The Facility is authorized to store Class A Regulated Recyclable Materials in the hazardous waste container storage areas and transport them only to authorized recyclers (e.g., for re-refining).

**E. Authority to Accumulate Universal Waste**

The Facility is authorized to accumulate universal wastes. Universal Wastes are batteries, pesticides, mercury thermostats, mercury containing lamps and devices regulated under the Hazardous Waste Regulations, 310 CMR 30.1000. All universal waste shall be accumulated in a

specifically designated universal waste accumulation area of the facility. The Facility has notified the Department as a Large Quantity Handler (LQH) of universal waste in accordance with 310 CMR 30.1000. Universal waste managed in accordance with 310 CMR 30.1000 does not count towards the facility's hazardous waste storage capacity.

#### **F. Authority to Store Non-Hazardous Waste**

The Facility is authorized to store liquid non-hazardous waste in its hazardous waste storage tank or in containers, and to store solid non-hazardous waste in containers only. Non-hazardous waste includes but is not limited to: antifreeze and glycols, spill residues, paint booth filters, and punctured and drained used oil filters.

#### **G. Used Oil Fuel Management**

The Facility is authorized to store and manage, but not to market, Used Oil Fuel.

#### **H. Truck-to-Truck Transfers**

The Facility is authorized to conduct truck-to-truck transfer of containerized and bulk hazardous wastes between staged vehicles.

#### **IV. Location of Available Information**

A copy of the Draft License is available on-line here (Search All Applications Open for Public Comment) <https://eeaonline.eea.state.ma.us/EEA/Public App/> and at these locations:

MassDEP  
One Winter Street, 7th Floor  
Boston, MA 02108  
Contact: James Paterson  
(617) 556-1096

MassDEP, Central Regional Office  
8 New Bond Street  
Worcester, MA 01606  
Contact: Giles Steele-Perkins  
(508) 767-2767

US Environmental Protection Agency  
5 Post Office Square #100  
Boston, MA 02109-3912  
Contact: Sara Kinslow  
(617) 918-1648

West Brookfield Board of Health  
Town Hall  
2 East Main Street  
West Brookfield, MA 01585  
(508) 867-1404 Ext 310

Merriam-Gilbert Public Library  
3 West Main St.  
West Brookfield, MA 01585  
(508)867-1410

The Fact Sheet is also available at:

<http://www.mass.gov/lists/massdep-licensed-hazardous-waste-treatment-storage-disposal-facilities>

## **V. Appeal Procedures**

Pursuant to Massachusetts General Law c. 21C, s. 11, any person aggrieved by a determination by the Department to issue or deny a license, and has legal standing to do so, may request an adjudicatory hearing before the Department. For the purposes of 310 CMR 30.000, an “aggrieved person” shall be deemed to be any person who is or may become a “party” or “intervener” pursuant to 310 CMR 1.00.

A person aggrieved by a final decision in any adjudicatory proceeding may obtain judicial review thereof pursuant to the provisions of M.G.L. c. 30A. This license is an action of the Department. If you are aggrieved by this action, you may request an adjudicatory hearing. A request for a hearing must be made in writing and postmarked within 21 days of the Notice of Final License Decision.

### **CONTENTS OF HEARING REQUEST**

Under 310 CMR 1.01(6)(b), the request must state clearly and concisely the facts which are the grounds for the request, and the relief sought. Additionally, the request must state why the permit is not consistent with applicable laws and regulations.

### **FILING FEE AND ADDRESS**

The hearing request along with a valid check payable to the Commonwealth of Massachusetts in the amount of \$100 must be mailed to:

Commonwealth of Massachusetts  
Department of Environmental Protection  
P.O. Box 4062  
Boston, MA. 02211

The request will be dismissed if the filing fee is not paid, unless the appellant is exempt or granted a waiver as described below.

### **EXCEPTIONS**

The filing fee is not required if the appellant is a city or town (or municipal agency), county, district of the Commonwealth of Massachusetts, or municipal housing authority.

### **WAIVER**

The Department may waive the adjudicatory hearing-filing fee for a person who shows that paying the fee will create an undue financial hardship. A person seeking a waiver must file, together with the hearing request as provided above, an affidavit setting forth the facts believed to support the claim of undue financial hardship.

This Fact Sheet was prepared by MassDEP, Bureau of Air and Waste, Hazardous and Solid Waste Division. For additional information contact James Paterson at [james.paterson@mass.gov](mailto:james.paterson@mass.gov).